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The Commissioner of Patents
United States Department of Commerce
United States Patent and Trademark Office
P.O.BOX 1450
Alexandria, Virginia 22313-1450
U.S.A.
26th February 2008

PETITION TO REVIVE

Dear Sir/Madam,

U.S. APPLICATION NO. 10/553,530 INTERNATIONAL APPLICATION NO.
PCT/GB03/01737

I am submitting this PETITION TO REVIVE within the time limit given to me by Ms Anita D. Johnson, Paralegal Specialist of the US Patent and Trademark Office who informed me, in her email dated 03/07/2007 (*see copy marked A*) that I have one year to respond to her NOTIFICATION OF ABANDONMENT also dated 03/07/2007 (*see copy marked B*).

Please also see copy of my letter to Anita D. Johnson (*marked C*) that I sent to her as soon as I became aware that I was out of time, explaining my reasons for not responding in time to the NOTIFICATION OF INSUFFICIENT FEES (DO/EO/US) (*see copy marked D*) and querying whether I can reinstate my application. The letter is undated but I sent it in October 2006 and Ms Johnson tells me it was received on 23rd October 2007. I did not obtain a reply to this letter or to my two subsequent letters and my first contact with Ms Johnson regarding this matter was by phone in early March 2007. Ms Johnson explained that her delay in replying was due to being on sick leave.

I also enclose a copy of an email I sent to ebc@uspto.gov dated 1st March 2007 (*marked E*) in which I asked why I had not at that time received a reply to my letters to Ms Johnson that I refer to above and I enclose the email reply to me from Amy EBC (*marked F*) also dated 1st March in which she suggested that I speak to the Group Art Unit. I did not need to follow this suggestion because I managed to contact Ms Johnson soon afterwards by phone - after which she send me her email (*marked A*).

Reason for failure to respond to the Notification of Insufficient Fees (DO/EO/US) in time.

At the time of issue of the above Notification, I was away from home on a 6 month vacation in India and was under the mistaken impression that I had paid sufficient fees. My mother was checking my mail for me and informed me by phone when I received an envelope containing the NOTICE OF PUBLICATION OF APPLICATION with the NOTICE OF NEW OR REVIVED PROJECTED

02/29/2008 AYONDAF2 00000031 10553530

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PUBLICATION DATE together with the FILING SHEET acknowledging my Patent Application - this contained three pages. Unfortunately she did not notice that, stapled to the back of the FILING SHEET pages was the NOTICE OF INSUFFICIENT FEES.

It was not until I returned from India and had the opportunity to check my mail more thoroughly that I discovered the NOTICE OF INSUFFICIENT FEES and realised that I was outside the time limit stipulated in the NOTICE. The NOTICE is dated 06/15/2006 and stipulated that the required fees must be submitted within two months from the date of the NOTICE. As I had arrived back from India in October 2006, I was approximately two months outside the time limit. I then wrote my letter to Anita D. Johnson that I refer to above see copy C.

I am very sorry indeed for this oversight and I would like to request that my application is revived.

Payment of Fees.

Following the advice of Anita D. Johnson see copy A I understand that I must now pay the cost of a large entity which is \$600.00 (as it is too late for me to be allowed the small entity fees for the original filing fees) plus the revival fee of \$255.00 which will establish the fact that I am a small entity.

I enclose \$855.00 in payment of the required fees using the Credit Card Payment Form.



Michael Ridgway
44, Richard Moss House,
St. Peter Street
Winchester
Hampshire
United Kingdom
SO23 8BX

Email micridg@yahoo.com



Print - Close Window

Subject:**Date:** Wed, 7 Mar 2007 06:58:24 -0500**From:** "Johnson, Anita D." <AnitaD.Johnson@uspto.gov>**To:** MICRIDG@YAHOO.COM

Mr. Richway, Sorry for the delay I was on sick leave and I am just returning to work. I will mail to you a notice of abandonment. You have one year to respond to this notice. At the time of your response if you choice to respond, you will have to pay the required \$600.00 fee plus a revival fee for an unavoidable abandoned application of \$250.00.

This 250.00 will establish the fact that you are a small entity. It is too late for you to receive the reduced small entity fee's for the original filing fees. You have to establish that status at least 3 months from the original filing date. When responding to this notice enclose a copy of the abandon letter that I mail to you and a copy of your response we received on 10/23/06 along with s separate letter entitled PETITION TO REVIVE in this letter state the reasons why you failed to respond in a timely manner.

The PETITION TO REVIVE should be addressed to the commissioner of patents as in your last letter. If you have further questions you can e-mail me at ANITAD.JOHNSON@ USPTO.GOV.

Anita D. Johnson
Paralegal Specialist
ECT/DO/EO
308-9140 X 226
Fax 571-270-9845

B



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10/553,530

Michael Ridgway

INTERNATIONAL APPLICATION NO.

PCT/GB03/01737

I.A. FILING DATE

PRIORITY DATE

04/23/2003

04/24/2002

CONFIRMATION NO. 1374

371

ABANDONMENT/TERMINATION
LETTER

OC000000022783275

Michael Ridgway
 44 Richard Moss House
 St Peter Street
 Winchester, S023 8BX
 UNITED KINGDOM

Date Mailed: 03/07/2007.

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 06/15/2006 within the time period set therein.

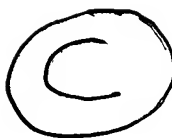
Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)



Ms Anita D. Johnson
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
COMMISSIONER FOR PATENTS
P.O. BOX 1450
Alexandria, Virginia 22313-1450

Dear Ms Johnson,

U.S. APPLICATION NO. 10/553,530

I refer to your Notification of Insufficient fees (DO/EO/US) dated 06/15/2006

When I entered the National Stage of my PCT patent application on 10/17/2005 I was unaware of the requirement of additional fees for my application and thought that the basic National fees were sufficient to cover the cost of the application including the search report. Earlier this year I went to India for six months and have just recently returned to the UK to find your Notification of Insufficient fees which was not forwarded to me. The person responsible for forwarding important mail to me overlooked your Notice unfortunately as it was clipped behind a Notice of Publication document.

I would of course be very happy to pay the additional fees but I do not appear to be within the two months from the date of your notice or 32 months from the priority date.

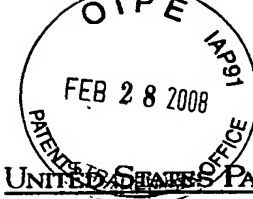
I note that on page two of your notification it is stated that:
"The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136a" and I wonder if there is any possibility to extend the time period under this provision.

I also note that my application is specified as a Large Entry. I would question this and wonder if you could check this for me please.

I do want to continue my application if there is any possible way of doing this and if you can help me in any way to reinstate my application I would be very grateful indeed. I look forward to hearing from you.

Yours sincerely,

Michael Ridgway
44 Richard Moss House
St. Peter Street
Winchester
Hampshire
SO23 8BX
Email: micridg@yahoo.com



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/553,530 | Michael Ridgway | |

| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
|-------------------------------|

PCT/GB03/01737

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 04/23/2003 | 04/24/2002 |

Michael Ridgway
 44 Richard Moss House
 St Peter Street
 Winchester, S023 8BX
 UNITED KINGDOM

CONFIRMATION NO. 1374

371 FORMALITIES LETTER



OC000000019269434

Date Mailed: 06/15/2006

Notification of Insufficient Fees (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/17/2005
- Copy of the International Search Report filed on 10/17/2005
- Copy of IPE Report filed on 10/17/2005
- Oath or Declaration filed on 10/17/2005
- Request for Immediate Examination filed on 10/17/2005
- U.S. Basic National Fees filed on 10/17/2005
- Priority Documents filed on 10/17/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$600** for a Large Entity:

- The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/553,530 | PCT/GB03/01737 | |

FORM PCT/DO/EO/923 (371 Formalities Notice)



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Date: Thu, 1 Mar 2007 01:38:33 -0800 (PST)
From: "Michael Ridgway" <micridg@yahoo.com>
Subject: Patent Application/late fees
To: ebc@uspto.gov

Dear Sir/Madam,

Re: Paintbrush rotation control system. Publication No. US-2006-0207044-A1
 Publication Date: 09/21/2006 International Application No. PCT/GB03/01737

Since receiving a Notification of Insufficient Fees (DO/EO/UP0) dated 06/15/2006, I have sent three letters to the person named on this document, Anita D Johnson explaining special circumstances for late payment of the additional fees requested and also questioning the requirement of those fees, as it appears to pertain to a Large Entry when I would question that my application falls into that category.

I am very keen to reinstate my application if there is any possibility of this as there were special circumstances for my not receiving the notification of Insufficient Fees in time and they may not in fact be required due to an error regarding the status of the application but I have not received a reply to any of my three letters. The first was sent in October 2006 and the following two were reminders containing copies of the original correspondence and these were sent in December 2006 and January 2007. I have attached a copy of my original letter.

In view of the above I would like to ask if you would kindly trace my inquiry and let me know why there has been a delay in responding to my letters.

Your assistance will be very much appreciated.

Yours faithfully,

Michael Ridgway (Inventor)
 44 Richard Moss House
 St. Peter Street
 Winchester
 Hampshire
 SO23 8BX
 United Kingdom
micridg@yahoo.com

Text Attachment

Attachments

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YAHOO! MAIL
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Compose

Search Mail

Search the Web

Folders [Add - Edit]

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Date: 1 Mar 2007 07:22:27 -0500**From:** ebc@uspto.gov [Add to Address Book](#) [Add Mobile Alert](#)**Subject:** RE: Patent Application/late fees**To:** micridg@yahoo.com

[THREAD ID:1-16Z0AQ]

Mr. Ridgeway,

I do see the letters that you sent in located in the Image File Wrapper for this application. However, you will need to speak to the Group Art Unit to see what steps can be taken at this point for your application.

Thank you,

Amy

EBC

-----Original Message-----

From: micridg@yahoo.com**Sent:** 3/1/2007 04:38:33 AM**To:** ebc@uspto.gov**Subject:** Patent Application/late fees

Dear Sir/Madam, Re: Paintbrush rotation control system. Publication No. US-2006-0207044-A1 Publication Date: 09/21/2006 International Application No. PCT/GB03/01737 Since receiving a Notification of Insufficient Fees (DO/EO/UP0) dated 06/15/2006, I have sent three letters: the person named on this document, Anita D Johnson explaining special circumstances for late payment of the additional fees requested and also questioning the requirement of those fees, as it appears to pertain to a Large Entry when I would question that my application falls into that category. I am very keen to reinstate my application if there is any possibility of this as there were special circumstances for my not receiving the notification of Insufficient Fees in time and they may not in fact be required due to an error regarding the status of the application but I have not received a reply to any of my three letters. The first was sent in October 2006 and the following two were reminders containing copies of the original correspondence and these were sent in December 2006 and January 2007. I have attached a copy of my original letter. In view of the above I would like to ask if you would kindly trace my inquiry and let me know why there has been a delay in responding to my letters. Your assistance will be very much appreciated.

Yours faithfully, Michael Ridgway (Inventor) 44 Richard Moss

House St. Peter Street Winchester Hampshire SO23 8BX United Kingdom
micridg@yahoo.com

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